REMARKS

In response to the Official Action of September 18, 2006, claim 33 has been amended in a manner which is believed to overcome the rejection under 35 USC §112, second paragraph.

In particular, at paragraph 3 of the Official Action, claim 33 is rejected with respect to the limitation "the means for relocating" in line 5, lacking antecedent basis. The amendment to claim 33 now recites "said means for receiving" which does have proper antecedent basis. Therefore, claims 33 and 34 are now believed to be compliant with 35 USC §112, second paragraph.

Referring now to paragraphs 4 and 5 of the Official Action, it is respectfully submitted that claims 1-34 are not anticipated under 35 USC §102(e) in view of US patent 6,912,230, Salkini et al (hereinafter Salkini). The Office asserts regarding claims 1-16 that Salkini discloses a multi-protocol wireless communication apparatus and method as defined by these claims. Reliance is made to the abstract, Table A, Figure 9 and elements (210,240,241,242,249) of Salkini. Applicant respectfully disagrees with the assertion by the Office.

In particular, the present invention as claimed relates to a method for relocation of a protocol initialization unit of a radio interface protocol which involves transferring the protocol initialization unit from a first termination point to a second termination point. The protocol initialization unit contains predefined information of the first termination point and allows the second termination point of the radio interface protocol to be initialized based thereon. Thus, the method as set forth in claim 1 allows a new termination point to take over the responsibilities of an old termination point based on the information which is transmitted between them.

In contrast thereto, Salkini merely relates to a multi-protocol mobile switching center in which processing that is unique to a particular protocol is performed at the

lowest possible level (see abstract of Salkini). A mobile switching center (MSC) is disclosed that incorporates a home location register and a visitor location register wherein these registers can be used in conjunction with software applications to determine the protocol of mobile communication devices using the wireless communication network (see abstract of Salkini).

The Office makes particular reliance on Figure 9, Table A and elements (210,240,241,242,249) as shown in Figure 9. The description concerning Figure 9 is set forth in Salkini at column 8, lines 41-67, while the description of Table A is at column 9, lines 26-34. A review of the cited portions in Salkini, as well as a review of the entire reference, shows that Salkini does not relate to a method of reallocating a radio interface protocol termination point. Figure 9 merely shows the functions and the connections of an aircore platform (200), which comprises an aircore mobile switching center/visitor location register (MSC/VLR) (210). The aircore platform communicates with a base station controller (BSC) (240) and a base transceiver station (BTS) (241). The aircore platform also communicates with another BSC (242). Since the BSCs (240,242) use different protocols, the Office apparently asserts that Figure 9 discloses relocating a radio interface protocol termination point as defined in claim 1. However, it is clear that there is no disclosure in Salkini of any method involving relocating a radio interface protocol termination point nor is there disclosure of performing such a relocation by transmitting a protocol initialization unit between such radio interface protocol termination points, nor of initializing a second termination point based on the protocol initialization unit which comprises predefined information of the first termination point.

In short, the fact that the aircore MSC/VLR (210) in Salkini may communicate using a different protocol for BSC (240) and BSC (242) does not in any way disclose defining a protocol initialization unit containing predefined information of a first termination point of a radio interface protocol of a communication system by the radio

interface protocol, transferring the protocol initialization unit from the first termination point to a second termination point of the radio interface protocol by a second protocol and initializing the second termination point of the radio interface protocol based on the protocol initialization unit.

It is therefore respectfully submitted that claim 1 is not anticipated by Salkini. It is therefore respectfully submitted that claims 2-16, all of which ultimately depend on claim 1, are further not anticipated by Salkini.

For similar reasons as those presented above with regard to claim 1, independent communication system claim 17 is not anticipated by Salkini. In view of independent system claim 17 not being anticipated by Salkini, it is respectfully submitted that claims 18-22, all of which depend from claim 17, are further not anticipated by Salkini.

Similar arguments are presented with respect to independent network element claims 23, 27 and 31, and independent communication system claim 29. For similar reasons as those presented above with regard to independent claim 1, each of these independent claims is believed to be not anticipated by Salkini. Therefore, the dependent claims to these independent claims are also believed to be further distinguished over Salkini.

In view of the foregoing, it is respectfully submitted that the present application as amended is in condition for allowance and such action is earnestly solicited.

The undersigned respectfully submits that no fee is due for filing this Amendment. The Commissioner is hereby authorized to charge to deposit account 23-0442 any fee deficiency required to submit this paper.

Respectfully submitted,

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